IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY & INTESTATE JURISDICTION.

NOTICE OF MOTION NO. 847 OF 2004

IN

TESTAMENTARY SUIT NO. 17 OF 1996

IN

TESTAMENTARY PETITION NO. 132 OF 1996

Ila Vipin Pandya ...Petitioner

...Plaintiff.

Vs.

Smita Ambalal Patel ...Caveatrix

...Respondent.

Mr. J.P.Sen i/b. Mehta & Girdharlal for the Petitioner -Plaintiff.

Ms. Smita Patel, Caveatrix in person.

CORAM : S.K.Shah, J.
DATE : August 26, 2004.

P.C.:-

1. The learned Counsel for the Petitioner - Plaintiff who has taken out this notice of motion seeks liberty to withdraw the notice of motion. The Respondent, who is appearing in person, has objected for withdrawal of this notice of motion and prayed for costs. However, I am not inclined to pass any Orders as

to the Costs.

2. The Notice of Motion is allowed to be withdrawn and dismissed as such.

[S.K.Shah, J.]